

UNITE HERE Fund Administrators*An Affiliate of Amalgamated Life*

UNITE HERE Fund Administrators, Inc.

July 10, 2008

730 Broadway
New York, NY 10003-9511
212-539-5576
fax: 212-387-0710**VIA FACSIMILE (212) 805-6304**Honorable Paul A. Crotty
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10003**USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JUL 11 2008**Re: UNITE HERE National Health Fund, et al. -v.- Michael Stuart Design
Ltd.--- 07-CV-6770 (PC)

Dear Judge Crotty:

We represent the plaintiffs in the above-referenced action to collect delinquent employee benefit fund contributions owing to two Taft-Hartley employee benefit funds. We are writing to request a brief adjournment of the June 9, 2008 deadline to restore the action to your Honor's calendar. We make this request for the following reasons.

While the parties have reached a tentative settlement, the parties found it necessary to resolve certain outstanding issues, which required defendant to produce certain additional documentation. Defendant has produced the necessary documentation, which plaintiffs are reviewing and incorporating into the settlement documents. Plaintiffs will require a brief amount of time to complete this process and to conclude the drafting and circulation of documents memorializing the settlement. While the parties continue to anticipate a successful conclusion of the action without further litigation, plaintiffs wish to preserve their right to proceed with the action in the unlikely event that the parties are unable to conclude a settlement.

For the foregoing reasons and, in the interests of judicial economy, we respectfully request that the Court extend the deadline to restore the action to your Honor's calendar to July 31, 2008. This is the first request for an adjournment of the deadline to restore the action to your Honor's active docket.

MEMO ENDORSED

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On July 9, 2008, we placed a telephone call to Keith LePack, Esq., defendant's counsel, to solicit his client's position on the instant application. We have not yet received a return call. While we anticipate defendant's consent to the instant application, we wish to submit the instant letter application for the Court's consideration.

The Courts' considerations are appreciated.

Respectfully submitted,



David C. Sapp (DS5781)

cc: Keith LePack, Esq. (via facsimile)

SO ORDERED: JUL 11 2008



HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE